

# **PROGRAM OPPORTUNITY NOTICE**

## **Alternative and Renewable Fuel and Vehicle Technology Program**

### **Alternative Fuel Readiness Plans**



PON-13-603

<http://www.energy.ca.gov/contracts>

State of California

California Energy Commission

August 12, 2013

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# **I. Introduction**

## **PURPOSE OF SOLICITATION**

The California Energy Commission's (Energy Commission) Alternative and Renewable Fuel and Vehicle Technology (ARFVT) Program announces the availability of up to \$2,100,000 in grant funds to help prepare California for the increased use of alternative transportation fuels. Grant funds will be awarded on a "first-come, first-served basis" for projects to develop Alternative Fuel Readiness Plans (Plans) that will provide strategies for the deployment of alternative fuel infrastructure (AFI) and encourage the adoption of alternative fuel vehicles (AFV's).

## **BACKGROUND**

Assembly Bill 118 (Núñez, Chapter 750, Statutes of 2007), created the ARFVT Program. The statute, subsequently amended by AB 109 (Núñez, Chapter 313, Statutes of 2008), authorizes the Energy Commission to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state's climate change policies. The Energy Commission has an annual program budget of approximately \$100 million and provides financial support for projects that:

- Develop and improve alternative and renewable low-carbon fuels;
- Optimize alternative and renewable fuels for existing and developing engine technologies;
- Produce alternative and renewable low-carbon fuels in California;
- Decrease, on a full fuel cycle basis, the overall impact and carbon footprint of alternative and renewable fuels and increase sustainability;
- Expand fuel infrastructure, fueling stations, and equipment;
- Improve light-, medium-, and heavy-duty vehicle technologies;
- Retrofit medium- and heavy-duty on-road and non-road vehicle fleets;
- Expand infrastructure connected with existing fleets, public transit, and transportation corridors; and
- Establish workforce training programs, conduct public education and promotion, and create technology centers.

The statute requires the Energy Commission to adopt and update annually an investment plan to determine funding priorities and opportunities and describe how program funding will be used to complement other public and private investments.

On May 9, 2012, the Energy Commission adopted the fiscal year (FY) 2012-13 Investment Plan for the ARFVT Program. Citing the example of the “Regional Plans to Support Plug-In Electric Vehicle (PEV) Readiness” grants (PON-10-602), the 2012-2013 Investment Plan Update contains recommendations for the Energy Commission to provide additional funding to support the implementation of PEV readiness plans and address similar needs for other alternative fuels.<sup>1</sup>

The PEV Readiness grants help develop strategic plans for electric vehicle charging infrastructure, establish “best practices” for PEV-ready building and public work guidelines, and streamline the processes of charging infrastructure permitting, installation, and inspection.<sup>2</sup> Alternative and renewable transportation fuels, in addition to electric vehicle supply equipment, may benefit from similar readiness efforts in the state. The 2012-2013 Investment Plan noted that particularly in early alternative fuel deployment areas, public entities may need support in preparing for the installation of AFI. The readiness of these public entities will help ensure that alternative fueling stations can quickly progress from the planning phase to installation and operation.<sup>3</sup> Additionally, the 2012-2013 Investment Plan found that support may also be appropriate for AFV adoption because the readiness activities will help promote outreach and education efforts and coordinate AFI implementation. These efforts can accelerate the commercialization of alternative and renewable fuels from fossil fuel-based vehicles to AFV’s.

## KEY INITIAL ACTIVITIES AND DATES

Applications are accepted on a first come, first-served basis and may be submitted at any time between the solicitation release date through April 30, 2014 at 3:00 p.m. Note that the Energy Commission will begin accepting Applications immediately once the solicitation is released.

Key initial activities including dates and times for this solicitation are presented below in Table 1. An addendum will be released if the dates change for the asterisked (\*) activities. Other dates are anticipated only and may change without notice.

Table 1 refers to initial activities. If questions or clarifications are identified subsequent to the “Deadline for Initial Written Questions”, the Energy Commission may post an addendum that responds to questions with answers and clarifications.

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<sup>1</sup> California Energy Commission. 2012-2013 Investment Plan Update for the Alternative and Renewable Fuel and Vehicle Technology Program, Publication No. CEC-600-2012-001-CMF, May 2012, pp.41 (internal citations omitted), available at: <http://www.energy.ca.gov/2012publications/CEC-600-2012-001/CEC-600-2012-001-CMF.pdf>

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

**Table 1 – Key Initial Activities and Action Dates**

<b>ACTIVITY</b>	<b>ACTION DATE</b>
Solicitation Release	August 12, 2013
Pre-Application Workshop*	August 23, 2013
Deadline for Initial Written Questions*	August 26, 2013
Distribute Questions/Answers and Addenda (if any) to solicitation	September 3, 2013 and updated as needed
<b>Deadline to Submit Applications by 3:00 p.m.</b>	Continuous until funds are exhausted or April 30, 2014
Notice of Proposed Award	Continuous until funds are exhausted or April 30, 2014
Anticipated Commission Business Meeting Date	Various
Anticipated Agreement Start Date	Various
Agreement Termination Date	Various

## **AVAILABLE FUNDING AND HOW AWARD IS DETERMINED**

The total funding available for this solicitation is \$2,100,000. The Energy Commission, at its sole discretion, reserves the right to increase or reduce the amount of funds available under this solicitation.

The maximum award per project Application is \$300,000.

The minimum funding amount per project Application is \$50,000.

**First-Come, First-Served:** Projects that pass both the administrative and technical screening criteria will be funded on a first-come, first-served basis based on the time their completed Application is received by the Contracts, Grants, and Loans Office at the Energy Commission. Refer to Section IV of this solicitation for additional information about the evaluation process and screening criteria.

If the funds available under this solicitation are insufficient to fully fund a grant Application, the Energy Commission reserves the right to partially fund that Application. In this event, the Proposed Awardee/Applicant and Commission Agreement Manager (CAM) shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding.

Applicants may apply for only one grant agreement at a time under this solicitation. Eligible applicants may apply for additional funding after completion of a grant awarded under this solicitation, if the deadline for submitting proposals has not passed and funds remain available. However the Commission reserves the right to amend the solicitation in the future, to accept more than one application per an applicant, if the solicitation is undersubscribed. An addendum will be issued if this occurs.

Applications addressing the same fuel types or activities within regions previously funded or recommended for funding under this solicitation will be disqualified unless the previously funded or recommended project ended before being completed. The intent of this language is to prevent the Commission from paying for duplicative work.

## **PRE-APPLICATION WORKSHOP**

There will be one Pre-Application Workshop; participation in this meeting is optional but encouraged. The Pre-Application Workshop will be held through in-person participation, WebEx, and conference call at the date, time and location listed below. Please call (916) 654-4381 or refer to the Energy Commission's website at [www.energy.ca.gov/contracts](http://www.energy.ca.gov/contracts) to confirm the date and time.

**August 23, 2013**

10:00 a.m.  
California Energy Commission  
Hearing Room A  
1516 Ninth Street  
Sacramento, CA 95814

### **Participation through WebEx**

For participation through WebEx, the Energy Commission's on-line meeting service, follow the instructions below:

#### **Computer Logon with a Direct Phone Number:**

- Please go to <https://energy.webex.com> and enter the unique meeting number 926 016 377.
- When prompted, enter your information and the following meeting password (case sensitive): meeting@10.
- After you login, a prompt will appear on-screen for you to provide your phone number. In the Number box, type your area code and phone number and click OK to receive a call back on your phone for the audio of the meeting. International callers can use the "Country/Region" button to help make their connection.

#### **Computer Logon for Callers with an Extension Phone Number, etc.:**

- Please go to <https://energy.webex.com> and enter the unique meeting number 926 016 377.
- When prompted, enter your information and the following meeting password (case sensitive): meeting@10.
- After you login, a prompt will ask for your phone number. CLICK CANCEL.
- Instead call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the meeting number above and your unique Attendee ID number which is listed in the top left area of your screen after you login. International callers can dial in using the "Show all global call-in numbers" link (also in the top left area).

#### **Telephone Only (No Computer Access):**

- Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the unique meeting number above. International callers can select their number from <https://energy.webex.com/energy/globalcallin.php>.

- If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239. Please be aware that the meeting's WebEx audio and on screen activity may be recorded.

## QUESTIONS

During the solicitation process, questions or clarifications about this solicitation must be directed to the Grants Officer listed in the following section. You may ask questions at the Application Workshop, and you may submit written questions via mail, electronic mail, and by FAX. However, all questions must be received by 3:00 pm on the date listed in Table 1 Key Initial Activities and Action Dates, in order to be included in the initial question and answer set.

Question and answer sets will be e-mailed to all parties who attended the Pre-Application Workshop and provided their contact information on the sign-in sheet. The questions and answers will also be posted on the Energy Commission's website at: <http://www.energy.ca.gov/contracts>. The person and organization submitting a question will not be identified.

Any verbal communication with an Energy Commission employee concerning this solicitation is not binding on the State and shall in no way alter a specification, term, or condition of the solicitation. Therefore, all communication must be directed in writing to the Energy Commission's Grant Officer assigned to the solicitation.

## GRANT OFFICER CONTACT INFORMATION

Sandra Cushman, Grants Officer  
California Energy Commission  
1516 Ninth Street, MS-18  
Sacramento, California 95814  
Telephone: (916) 654-4584  
FAX: (916) 654-4423

E-mail: [Sandra.Cushman@energy.ca.gov](mailto:Sandra.Cushman@energy.ca.gov)

## REFERENCE DOCUMENTS

Applicants responding to this solicitation may want to familiarize themselves with the following documents:

2012-2013 Investment Plan for the Alternative and Renewable Fuel and Vehicle  
Technology Program (CEC-600-2012-001-CMF)  
[\[http://www.energy.ca.gov/2011-ALT-1/index.html\]](http://www.energy.ca.gov/2011-ALT-1/index.html)

All above reference documents are on display and available for review in the Energy Commission's Library. Library hours are Monday - Friday from 8:30 a.m. to 4:30 p.m., closed for lunch 12:00-1:00p.m. The Library is located at: California Energy Commission, 1516 Ninth Street, First Floor, Sacramento, CA 95814, (916) 654-4292.

Applicants may also reference the US Department of Energy's Alternative Fuels Data Center website for the Alternative Fueling Station Locator [\[http://www.afdc.energy.gov/locator/stations/\]](http://www.afdc.energy.gov/locator/stations/). This tool provides a useful way to find alternative fueling stations. More information can also be found at [\[http://www.nrel.gov/news/press/2012/2028.html\]](http://www.nrel.gov/news/press/2012/2028.html)



## II. Eligibility Requirements

### ELIGIBLE APPLICANTS

This solicitation is open to California eligible public entities that can meet the requirements of this solicitation. For purposes of this solicitation, eligible public entities includes, but is not limited to, those entities that have a direct role in the development, planning, permitting, or oversight of alternative fuel infrastructure such as cities, counties, air, water, and fire districts, and regional planning entities.

Every eligible public entity that applies under this solicitation must agree to the Terms and Conditions (Exhibit C) and Special Terms and Conditions (Exhibit D). The Energy Commission will not award agreements to non-complying public entities.

### ELIGIBLE PROJECTS

Grants will be awarded for the development of Plans which must include all of the following activities:

- Analyze existing and potential incentives for increased usage of alternative fuels.
- Identify challenges and sharing best practices for planning, permitting, deployment, maintenance, and inspection of AFI.
- Develop **or make use of existing** training materials or classes for fleet operators, planners, first responders, and decision-makers regarding AFI development ~~if no training materials are available~~ **alternative fuels identified by the Plan. Describe how the materials or classes will support the use of alternative fuels and alternative fuel vehicles.**
- Develop strategies and best practices to increase procurement and commercialization of alternative fuels, **and describe ways to evaluate implementation of potential strategies and how the best practices information will be available to the public.**
- Develop marketing analysis, materials, and outreach strategies that communicate the benefits of alternative fuel usage to targeted groups such as fleet owners/operators.
- Develop strategies to assist alternative fuel wholesalers/retailers, with the intent of increasing the availability and/or reducing the cost of alternative fuels.

**The applicant must include a description of each activity, how the activity will be accomplished, how the activity will support the use of alternative fuels and alternative fuel vehicles, and planned methodologies to evaluate strategies and determine best practices.**

To address the issues of diverse stakeholders associated with alternative fuel development and usage, the eligible public entity is encouraged to partner with applicable stakeholders to obtain input and feedback for the Applicant during the development of the Plans.

All Applications must demonstrate that the proposed project can be completed within 24 months from the agreement execution.

## PROJECTS REQUIRED BY STATE OR FEDERAL LAW

Applicants must complete Attachment 11 in order to assist the Energy Commission in complying with the funding restrictions applicable to the ARFVT Program. Note that certain projects may not be eligible for funding.

## MATCH FUNDING REQUIREMENTS

To be eligible, Applications must include a **minimum 20 percent match share** ~~from non-California state agency sources.~~ **Funds from the Energy Commission (e.g., awards from other Commission programs) cannot count towards the match share requirement.** For example, a project receiving a grant of \$80,000 funded by the Energy Commission grant must include a minimum match of \$16,000 from ~~non-state~~ sources **that do not include any grant or contract funds from the California Energy Commission.**

“Match funding” or “match share” means cash or in-kind (non-cash) contributions provided by the Applicant/Recipient, subcontractors, or other parties that will be used in performance of the proposed project. Match share percentage is calculated by dividing the total match share contributions by the total allowable project cost. “Total allowable project cost” is the sum of the Energy Commission’s reimbursable share and Recipient’s match share of the project costs. Refer to Attachment 9 ARFVT Program Terms and Conditions (Exhibit C) for match share requirements in addition to the following:

1. All match share expenditures must conform to the requirements in the terms and conditions of the solicitation and the resulting grant agreement. Recipients will be required to document and verify all match share expenditures, and provide a synopsis of project progress in the monthly progress reports and invoices to the Energy Commission after grant execution.
2. Applicants must disclose the source and provide verification and documentation for the match share funding.
3. Match share funding may be in the form of cash and/or in-kind contributions such as donated labor hours, equipment, facilities, and property. Equipment, facilities (e.g., laboratory space), and most property may count as match funds as long as the value of the contribution is based on documented market values or book values, prorated for its value to the project, and depreciated or amortized over the term of the project using standard accounting principles.
4. **Other grants or contracts** ~~Funding from other non-state government agencies~~ **the California Energy Commission** ~~may~~ **cannot** be used as match share.
5. Recipients are allowed to incur match share expenditures only after the Energy Commission notifies the Applicant that its project has been proposed for an award through the release of a Notice of Proposed Awards (NOPA). Match expenditures incurred prior to the full execution of a funding agreement are at the Applicant’s own risk. The Energy Commission is not liable for Applicant’s incurred match share costs if the grant is not approved, if approval is delayed, or if the match share expenditure is not allowable under the terms and conditions of the grant or applicable federal cost principles incorporated by reference into the agreement.

6. Recipients will be required to document and verify pre-execution match expenditures, and provide a synopsis of project progress in the first monthly progress report and invoice to the Energy Commission after grant execution.
7. All match funding and match fund contributions must be quantified, verified, documented and directly related to the specific project for which grant funding is sought.

### **III. Application Format, Required Documents, and Delivery**

#### **ABOUT THIS SECTION**

This section contains the format requirements and instructions on how to submit an Application. The format is prescribed to assist the Applicant in meeting State requirements and to enable the Energy Commission to evaluate each Application uniformly and fairly. Applicants must follow all Application format instructions, answer all questions, and supply all requested data.

#### **REQUIRED FORMAT FOR AN APPLICATION**

All applications submitted under this solicitation must be typed or printed using a standard 11-point font, singled-spaced, and a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred and tabs are encouraged. Binders are discouraged. Original of application should be bound only with a binder clip.

#### **PAGE LIMITATIONS**

Limit the Table of Contents, Project Narrative, Executive Summary, and Scope of Work to a maximum of 25 pages total. Budget forms do not count towards this page limitation. The Executive Summary is limited to 2 pages.

#### **NUMBER OF COPIES**

Applicants must submit one (1) original and three (3) copies of the application.

Applicants must also submit electronic files of the application on **CD-ROM or USB memory stick** along with the paper submittal. Only one CD-ROM or USB memory stick is needed.

Electronic files must be in Microsoft Word XP (.doc format) and Excel Office Suite formats.

Completed Budget Forms, Attachment 5, must be in Excel format. Electronic files submitted via e-mail will not be accepted.

#### **PACKAGING AND LABELING**

The original and copies of the application must be labeled "Program Opportunity Notice (PON-13-603)," and include the title of the application.

Include the following label information and deliver your application, in a sealed package:

Person's Name, Phone #

Applicant's Name

Street Address

City, State, Zip Code

FAX #

California Energy Commission  
Contracts, Grants & Loans Office  
Attn: PON-13-603  
1516 Ninth Street, MS-18  
Sacramento, California 95814

### **PREFERRED METHOD FOR DELIVERY**

An Applicant may deliver an application by:

- U. S. Mail
- In person
- Courier service

Applications must be delivered **no later than 3:00 p.m.**, to the Energy Commission's Contracts, Grants and Loans Office during normal business hours and prior to the date and time specified in this solicitation. Applications received after the specified date and time are considered late and will not be accepted. No exceptions will be considered. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances.

## APPLICATION ORGANIZATION

**Table 2 - Application Requirements**

<i>Element</i>	<i>Attachment Reference (if applicable)</i>
Application Form	Attachment 01
Table of Contents	N/A
Executive Summary	N/A
Project Narrative	N/A
Scope of Work	Attachment 02
Schedule of Products and Due Dates	Attachment 04
Budget	Attachment 05
Contacts List	Attachment 06
Letter(s) Third-Party Match Share Commitment	N/A
CEQA Compliance Form, if required	Attachment 07
ARFVT Program Funding Restrictions Certification	Attachment 11

## REQUIRED DOCUMENTS

The following are the specifics for each element of the application:

- A. Application Form:** Each Applicant must include a completed Application Form shown in Attachment 01 that is signed by an authorized representative of the Applicant's organization.
- B. Table of Contents:** Each Application must include a table of contents that identifies the Application elements and corresponding page numbers.
- C. Executive Summary:** Each Application must contain an Executive Summary that, at a minimum, includes: a project description, project goals, and quantitative and measurable objectives to be achieved. The maximum length of the Executive Summary is two (2) pages.
- D. Project Narrative:** The project narrative must include a description of the proposed project and the eligible public entity authorized to accept and administer the award.

The Project Narrative also must:

- Provide a description of the project region, goals and objectives, and the need for the Plan.
- Provide a clear statement of project's purpose, scope of work, and products/outcomes.

- Provide a detailed discussion of each of the Screening criteria. Applications must respond directly to each Screening criterion, with the headings as titled in Section IV, and provide sufficient detail so the Evaluation Screening Team will be able to evaluate the Application against each of the Screening criteria.
  - Describe project collaboration and coordination with applicable stakeholders. **The applicant must describe the potential project team and their affiliation(s), the anticipated roles and responsibilities of each potential team member or affiliate, and opportunities to engage stakeholders through surveys or other outreach methods.**
  - Provide budget information, including source(s) of match funding which must be a minimum of 20 percent of the total grant award.
  - Include a discussion on previous or current alternative fuel readiness efforts.
  - Include a discussion on any other significant factors that could enhance the value of the proposed project.
- E. Scope of Work:** Applicants must include a completed Scope of Work for the proposed project (Attachment 02). Instructions for completing the Scope of Work are included in Attachment 03. Electronic files for the Scope of Work must be in Microsoft Word™. The description of activities proposed in the Project Narrative must conform to the Tasks described in the Scope of Work.
- F. Schedule of Products and Due Dates:** Applications must include a completed Schedule of Products and Due Dates (Attachment 04). The Application must demonstrate that the project will be completed within 24 months of agreement execution. Instructions for the Schedule of Products and Due Dates are included in Attachment 04. Electronic files for the Schedule of Products and Due Dates must be in Microsoft Excel™.
- G. Budget:** Applications must include a complete and comprehensive budget for the proposed project. Detailed instructions for completing Budget forms are included at the beginning of Attachment 05. Electronic files for the Budget must be in Microsoft Excel™. Budget forms do not count against page limitations specified in this solicitation. All budget forms contained in this solicitation will be used to develop the final agreement if approved for funding. Failure to fully or adequately complete the required budget forms will result in either a lower score or disqualification from this solicitation.
- NOTE:** The information provided in these forms will **not** be kept confidential after the posting of the NOPA.
- Proposed budgets must adhere to the following requirements:

1. Rates and personnel shown must reflect rates and personnel that will be utilized in the funding agreement if selected for an award. The salaries, rates, and other costs entered on these forms become a part of the final agreement. Applicants must consider the entire term of the agreement and include projected rate increases (if applicable) when preparing the budget. The rates included in the Application are the maximum rates allowed to be reimbursed under the resulting agreement. These rates will not be increased during the term of the agreement. Funding recipient shall only be reimbursed for their actual rates up to these rate caps. The hourly rates provided in all Budget Forms B-3 shall be unloaded rates and shall not include fringe benefits, any overhead/indirect costs, or profit.
2. All reimbursable project expenditures must be expended within the approved term of the funding agreement.
3. The Energy Commission highly recommends that all match share expenditures be incurred during the approved term of the funding agreement. However, funding recipients may choose to incur match share expenditures at their own risk once officially notified of a proposed award through the publication of a NOPA for this solicitation.
4. The Budget should allow for the expenses of a Kick-off Meeting. It is anticipated that meetings will be conducted at the Energy Commission located in Sacramento, CA.
5. Applicants must budget expenditures related to permits, etc. as match share expenditures. The Energy Commission will not reimburse Applicants for costs related to permitting.
6. The Budget should allow for the preparation and submission of monthly progress reports (2-3 pages each) during the approved term of the agreement, and a Final Report. Instructions for preparing the Final Report is included in the Scope of Work and agreement Terms and Conditions.
7. The purchase of equipment (defined as items with a unit cost greater than \$5,000 and a useful life of greater than one year) with Energy Commission funds will require disposition of purchased equipment at the end of the project. Typically, Grant Recipients may continue to utilize equipment purchased with Energy Commission funds as long as the use is consistent with the intent of the original Grant Agreement. There are no disposition requirements for equipment purchased with match share funding.
8. The Budget must reflect estimates for **actual** costs to be incurred during the approved term of the project. The Energy Commission can only approve and reimburse for actual costs that are properly documented in accordance with the Grant Terms and Conditions.
9. The Budget must **NOT** include any profit from the proposed project, either as a reimbursed item or as match share. Please review the Grant Terms and Conditions for additional restrictions and requirements.



10. **IMPORTANT- Payment of Prevailing Wages:** All applicants must read and pay particular attention to ARFVTP Terms and Conditions, Exhibit C, Section 27 entitled “Public Works -- Payment of Prevailing Wages”. Prevailing wage rates can be significantly higher than non-prevailing wage rates. Failure to pay legally-required prevailing wage rates can result in substantial damages and financial penalties, termination of the Grant Agreement, disruption of projects, and other complications.

**H. Budget Forms:** Applications must include information on all of the attached budget forms, B-1 through B-6 as identified in Table 3.

**Table 3 – Budget Forms**

<b>Budget Form</b>	<b>Attachment Number</b>
Task Summary	Attachment 05, B-1
Category Summary	Attachment 05, B-2
Prime Labor Rates	Attachment 05, B-3
Labor Rates for Each Subcontractor	Attachment 05, B-3a-o
Prime Non-Labor Rates	Attachment 05, B-4
Non-Labor Rates for Each Subcontractor	Attachment 05, B-4a-o
Direct Operating Expenses	Attachment 05, B-5
Match Funding	Attachment 05, B-6

**I. Third-Party Match Share Commitment:** For match share committed by a third-party (i.e., other than the match share committed by the Applicant), Applicant must submit a letter of commitment from each match share partner identifying the source(s) and availability of match funding.

**J. California Environmental Quality Act (CEQA) Compliance Information:** Applicants must complete Attachment 07 **only** if the proposed project a “project” for purposes of CEQA. The Energy Commission requires this information to assist its own determination of what level of environmental review is required under the California Environmental Quality Act (Public Resource Code Section 21000 et seq.) (CEQA). The Energy Commission must ensure that the appropriate level of environmental review under CEQA is complete prior to advancing a project for formal Energy Commission approval. Thus, no award can be approved, nor can any grant agreement be executed, until CEQA is satisfied.

The Energy Commission anticipates that most projects under this solicitation will not meet the definition of a “project” under the California Environmental Quality Act (CEQA) or that the activities may be exempt information collection activities. However, if any actions do meet the definition of a “project”, the Energy Commission must comply with its responsibilities as either a Lead or Responsible Agency under CEQA prior to approving the grant award.

**All Applicants must provide the following information with Attachment 07 as it pertains to their proposed project:**

- The Applicant must provide information on whether the proposed project meets a statutory or categorical exemption. The Applicant must provide facts about the proposed project that support this conclusion.

**NOTE REGARDING ENCUMBRANCE DEADLINES AND DISCLAIMER:**

The funds under this solicitation have strict encumbrance deadlines. The Energy Commission must complete environmental review under CEQA and formally approve each grant prior to the applicable encumbrance deadline. Thus, if a project cannot complete CEQA review in time to meet the applicable encumbrance deadline, the **Energy Commission reserves the right to cancel the proposed award** and recommend funding the next eligible award that can meet the encumbrance deadline, regardless of the Applicant's diligence in submitting CEQA information and materials. Further, the Energy Commission is not liable for any costs incurred during environmental **review or as a result of cancelling the proposed award.**

- K. ARFVTP Funding Restrictions Certification:** Applicants must review Attachment 10, Exhibit D Special Terms and Conditions regarding ARFVT Program "Funding Restrictions" and complete the certification on Attachment 11.

## **IV. Evaluation Process and Screening Criteria**

Applications will be accepted on a “first-come, first served” basis. Applications will be evaluated based on their responses to the information requested in this solicitation. The entire evaluation process from receipt of Applications to posting of the Notice of Proposed Award is confidential.

The Energy Commission will organize an Evaluation Screening Team to evaluate all Applications submitted under this solicitation. The Evaluation Screening Team may consist of Energy Commission staff or staff of other California state agencies. Applications failing one or more of the Screening criteria will be disqualified and will not be eligible for funding under this solicitation. However, applicants can correct their Applications and resubmit their Applications for reconsideration if funds are available. Resubmitted applications will be processed as a new application on a first-come, first-served basis. See below for Grounds to Reject an Application.

The Applications will be evaluated in two stages:

### **ADMINISTRATIVE SCREENING**

- The Contracts, Grants and Loans Office will screen Applications using the Pass/Fail evaluation method for compliance with Administrative Screening Criteria in Table 4 – Administrative Screening Criteria.
- Applications passing evaluation under all the Administrative Screening Criteria will continue review and evaluation under the Technical Screening Criteria.
- An Application not passing the Administrative Screening Criteria will receive no further consideration and shall be disqualified and eliminated from further evaluation.

**Table 4 – Administrative Screening Criteria**

Application <u>must</u> pass the following for further consideration if:		Solicitation Section	Pass/Fail
1	The application is received by the Energy Commission's Grants and Loans Office by the due date and time specified in Table 1.	I	
2	The Application Form is complete, and is signed by the Applicant.	Attachment I	
3	The Match funding is at least 20 percent of the total grant award and is <del>from non-state sources</del> <b><u>does not include any grant or contract funding from the California Energy Commission.</u></b>	III	
4	The application is prepared in the mandatory format described.	III	
5	The budget forms are filled out completely.	III	
6	The Application does not contain confidential information.	V	
7	The Applicant agrees to the Terms and Conditions, to the Special Terms and Conditions, and to meet all requirements of the solicitation by signing the Application Form and not including any statement in the Application that acceptance is based on modifications to those terms and conditions or separate terms and conditions.	Exhibit C Exhibit D	

## TECHNICAL SCREENING

- Applications passing Administrative Screening will then be evaluated by the Evaluation Screening Team to review and screen the Applications based on the Technical Screening Criteria in Table 5 – Technical Screening Criteria.
- As part of the Technical Screening Criteria review, the Energy Commission may invite applicants to a clarification interview regarding the information contained in their Applications. Applicants may appear in person at the Energy Commission office in Sacramento, CA, or discuss the Application by telephone. The Energy Commission will not provide reimbursement to any applicant for the interview appearance.
- Applications passing Technical Screening Criteria will be recommended for funding until all funds available through this solicitation have been committed.
- Applications recommended for funding and the amount of funding will be posted on the Energy Commission's website in a NOPA.

**Table 5 – Technical Screening Criteria**

		<b>Solicitation Section</b>	<b>Pass/Fail</b>
1	The applicant is an eligible applicant.	II	
2	The project is an eligible project.	II	
3	Application identifies the project region to which planning will apply, describes the goals and objectives, and need for the Plan.	III	
4	Application provides a clear statement of project's purpose, scope of work, and work products/outcomes.	III	
5	Application describes project collaboration and coordination with applicable stakeholders.	III	
6	Application discusses previous or current alternative fuel readiness efforts in the proposed project area.	III	
7	Application describes the approach to be conducted to analyze potential policies, incentives, and financing options that could be used to foster increased usage of alternative fuels.	II	
8	Application describes potential challenges and best practices for planning, permitting, deployment, maintenance, and inspection of AFI.	II	
9	Application describes potential training materials or classes for fleet operators, planners, first responders, and decision-makers regarding AFI development.	II	
10	Application describes potential strategies and best practices to increase procurement and commercialization of alternative transportation fuels.	II	
11	Application describes approach to marketing analysis, materials, and outreach strategies that would communicate the benefits of alternative fuel usage to targeted groups such as fleet owners/operators.	II	
12	Application describes potential strategies to assist alternative fuel wholesalers/retailers to market alternative fuels.	II	

## **GROUND TO REJECT AN APPLICATION**

In addition to the Screening Criteria identified above, the Energy Commission reserves the right to reject an application and/or cancel an award if at any time during the application or agreement process the following circumstances are discovered:

- It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Applicant.

- It does not literally comply, or contains caveats that conflict, with the solicitation and the variation or deviation is material, or the Application is otherwise non-responsive.
- It does not contain all of the information identified in the Application Requirements.
- It does not address the Minimum Application Requirements.
- The Application is intended to erroneously and fallaciously mislead the State in its evaluation of the Application and the attribute, condition, or capability is a requirement of this solicitation.

## **NOTICE OF PROPOSED AWARDS (NOPA)**

The Energy Commission's proposed funding level and the amount of each proposed award will be announced in a NOPA. The Energy Commission will: 1) post the NOPA at the Energy Commission's headquarters in Sacramento; 2) post the NOPA on the Energy Commission's Website; and 3) mail the NOPA to all parties that submitted an Application under this solicitation.

A revised NOPA may be issued if there are additional awardees identified subsequent to the issuance of the initial NOPA.

## **DEBRIEFINGS**

Unsuccessful Applicants may request a debriefing after the release of the NOPA. A request for debriefing must be received no later than 15 days after the release of the NOPA in which the Applicant is listed.

## **V. ADMINISTRATION**

### **DEFINITION OF KEY WORDS**

Important definitions for this solicitation are presented below:

<b>Word / Term</b>	<b>Definition</b>
AFI	Alternative Fuel Infrastructure
AFV	Alternative Fuel Vehicle
Applicant	Respondent to this solicitation
Application	Formal written response to this solicitation from Applicant
ARFVT Program	Alternative and Renewable Fuel and Vehicle Technology Program
CAM	Commission Agreement Manager
CEQA	California Environmental Quality Act
Energy Commission	California Energy Commission
NOPA	Notice of Proposed Awards
PEV	Plug-In Electric Vehicle
Plan(s)	Alternative Fuel Readiness Plan(s)
Solicitation	This Program Opportunity Notice and all attachments and exhibits
State	State of California

### **COST OF DEVELOPING APPLICATION**

The Applicant is responsible for the cost of developing an Application, and this cost cannot be charged to the State.

### **CONFIDENTIAL INFORMATION**

The Energy Commission will not accept or retain any Applications that have any portion marked confidential. Applications containing or proposing to deliver confidential information will be returned without consideration.

The entire evaluation process from receipt of Applications until the posting of the NOPA is confidential. However, Applications and all submittals will become public records after the Energy Commission completes the evaluation and/or Screening process and the Notice of Proposed Awards is posted, or this solicitation is cancelled.

## **SOLICITATION CANCELLATION AND AMENDMENTS**

It is the policy of the Energy Commission not to solicit Applications unless there is a bona fide intention to award an Agreement. However, if it is in the State's best interest, the Energy Commission reserves the right to do any of the following:

- Cancel this solicitation;
- Revise the amount of funds available under this solicitation;
- Amend this solicitation as needed; or
- Reject any or all Applications received in response to this solicitation.

If this solicitation is amended, the Energy Commission will send an addendum to all parties who requested the solicitation and will also post it on the Energy Commission's website at [www.energy.ca.gov/contracts](http://www.energy.ca.gov/contracts).

## **ERRORS**

If an Applicant discovers any ambiguity, conflict, discrepancy, omission, or other error in the solicitation, the Applicant shall immediately notify the Energy Commission of such error in writing and request modification or clarification of the document. Such requests must be made following the process described in Section I for "Questions." Modifications or clarifications will be given by written notice to all parties who requested the solicitation, without divulging the source of the request for clarification. The Energy Commission shall not be responsible for failure to correct errors.

## **MODIFYING OR WITHDRAWAL OF APPLICATION**

An Applicant may withdraw its application at any time. An Applicant may modify a submitted Application before the deadline to submit Applications. However, Applications cannot be changed after the due date and time. In either case, the Applicant must notify the Energy Commission of its intent to modify or withdraw the Application by formal letter to the Energy Commission Contact Person. An Application cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the solicitation: "This application and the cost estimate are valid for 60 days."

## **IMMATERIAL DEFECT**

The Energy Commission may waive any immaterial defect or deviation contained in an Applicant's Application. The Energy Commission's waiver shall in no way modify the Application or excuse the successful Applicant from full compliance.

## **DISPOSITION OF APPLICANT'S DOCUMENTS**

On the NOPA posting date, all Applications and related material submitted in response to this solicitation become a part of the property of the State and become a public record. Applicants who want any work examples they submitted with their applications returned to them shall make this request and provide either sufficient postage or a Courier Charge Code to fund the cost of returning the examples.



## **APPLICANTS' ADMONISHMENT**

This solicitation contains the instructions governing the format in which technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Applicant responsibilities. It is the Applicants' responsibility to carefully read the entire solicitation, ask appropriate questions in a timely manner, submit all necessary responses in a complete manner by the required date and time, and make sure that all procedures and requirements of the solicitation are followed and appropriately addressed before submitting an Application.

Applicants must agree to be bound by the ARFVT Program Grant Terms and Conditions (Exhibits C and D) for any agreement(s) resulting from this solicitation. The Energy Commission reserves the right to add or modify any special terms and conditions necessary to successfully administer a grant agreement resulting from this solicitation. No exceptions to these ARFVT Program Grant Terms and Conditions will be considered. Therefore, the Energy Commission recommends that both the Applicant and any subcontractors, including legal counsel, carefully review the ARFVT Program Grant Terms and Conditions before deciding to submit an Application. If an Applicant and/or subcontractor do not agree to ARFVT Program Grant Terms and Conditions, the Energy Commission reserves the right to cancel the proposed award to that Applicant and fund the next eligible Application under this solicitation.

## **AGREEMENT REQUIREMENTS**

After the NOPA, the Energy Commission staff will assemble complete Agreements using the materials submitted with the successful applicants' respective applications. The Energy Commission reserves the right to modify the Agreement documents prior to executing the Agreement. The content of this solicitation shall be incorporated by reference into the final Agreement. See the ARFVTP Terms and Conditions (Ex. C) included in this solicitation.

The Energy Commission reserves the right to negotiate with Applicants to modify the project scope, the level of funding, or both. If the Energy Commission is unable to successfully negotiate and execute a funding agreement with an Applicant, the Energy Commission, at its sole discretion, reserves the right to cancel the pending award and fund the next highest ranked eligible project.

The Energy Commission must formally approve all proposed grant awards. ARFVTP Grant Agreements for over \$75,000 must be scheduled and considered at an Energy Commission Business Meeting for approval by the Energy Commission.

Public agencies that receive funding under this solicitation must provide an authorizing resolution approved by their governing authority to enter into an Agreement with the Energy Commission and designating an authorized representative to sign.

The Energy Commission will send the approved Agreement, including all attachments and exhibits, to the grant recipient for review, approval, and signature. Once the grant recipient signs, the Energy Commission will fully execute the Grant Agreement. Recipients are approved to begin the project only after full execution of the Grant Agreement.

## **No AGREEMENT UNTIL SIGNED AND APPROVED**

No agreement between the Energy Commission and the successful Applicant is in effect until the agreement is signed by the Recipient and by the Energy Commission representative. The Energy Commission reserves the right to modify the award documents prior to executing the Agreement.